

1
2 UNITED STATES DISTRICT COURT
3 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

4 JUSTIN EDWARD LEWIS,

5 Plaintiff,

C17-0211-TSZ

6 v.

ORDER

7 ETHAN GREEN,

8 Defendant.

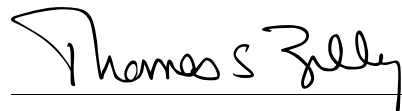
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10 The Court, having reviewed the Report and Recommendation of the Honorable Mary
11 Alice Theiler, United States Magistrate Judge ("R&R"), docket no. 26, to which no objection
12 was filed by plaintiff,¹ does hereby find and ORDER:

13 (1) The Court ADOPTS the Report and Recommendation;

14 (2) Defendant's unopposed motion for summary judgment, docket no. 22, is
15 GRANTED, and plaintiff's amended complaint, docket no. 6, and this action, are DISMISSED
16 with prejudice; and

17 (3) The Clerk is DIRECTED to enter judgment accordingly and to send copies of this
18 Order and the Judgment to all counsel of record, plaintiff pro se, and Magistrate Judge Theiler.

19 DATED this 27th day of April, 2018.

20 

21 Thomas S. Zilly
United States District Judge

22 ¹ Rather than filing an objection to the R&R, plaintiff has submitted a request that the Clerk certify to the
23 Attorney General of the State of Washington, pursuant to Federal Rule of Civil Procedure 5.1, that this
action challenges the constitutionality of a state statute. Plaintiff's request, docket no. 29, is DENIED. In
the operative pleading, docket no. 6, plaintiff made no allegation that any state statute is unconstitutional,
and to the extent he is now moving for leave to amend to assert such claim and/or join a defendant, his
motion is DENIED as untimely.